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(3)

Supreme Court, U.S.
FILED
OCT 21 2009
OFFICE OF THE CLERK

No. : 08-1354

In the

Supreme Court of the United States

ANN M. DESALVO,

Petitioner,

v.

JOACHIM J. VOLHARD, CAROL KAISER, JOSEPH G. MEDICIS, SOCIAL SECURITY ADMINISTRATION, JOANNE B. BARNHART, COMMISSIONER, CAROLYN BURIAN, SSA EEO COUNSEL FOR THE SOCIAL SECURITY ADMINISTRATION, EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC), CARLTON HADDEN, DIRECTOR, KEVIN J. BERRY, ADMINISTRATIVE JUDGE, EEOC,

Respondents.

PETITION FOR REHEARING

ANN M. DESALVO
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October 20, 2009

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This is to Petition the Supreme Court of the United States for a Rehearing of my case No. 08-1354 upon denial of the above-entitled petition for a writ of certiorari on October 5, 2009 and the rejection of my application for Justice Sotomayer to review my Case sent to the Supreme Court (Certified Mail, return receipt requested) on October 8, 2009.

I believe my case will set Precedent for all future cases of Discrimination against similar Federal Government respondents. I cannot believe the Supreme Court of the United States is not concerned with Truth ; and Justice for the Individual no matter what the cost.

Lower Court Decisions in my case conflict with relevant Decisions of the Supreme Court.

I firmly believe I have proven my case against the respondents and have Substantial Grounds for Requesting A Rehearing. Technicalities have and are being used to deny me my civil rights. I truly believe that a pro se petitioner should be given extra consideration in the Supreme Court having had to fight an Army of Federal Government Lawyers and bias Judges.

Justice Sotomayor took no part in the consideration or decision of my Petition.

In my Petition and Supplemental Petition I submitted proof of Discrimination to the Supreme Court. I truly believe that if Justice Sotomayor

was allowed to review and decide my case, She would grant me the relief I seek. The Respondents are indeed guilty of discriminating against me and the case records prove it. Throughout my case, the respondents Lied, Committed perjury, intimidated witnesses, obstructed justice, tampered with evidence, controlled the investigation of my case and abused power (I submitted Proof – which the Judges and Courts have completely overlooked). These are Not the actions of innocent people. To date, all of the Judges and Courts have been prejudice; denying me a public trial and True justice; delaying my case (going on 13 years); piling up mounds of paper in order to hide the Truth. After causing me to become ill while working under such horrible conditions, I believe they hoped I would quit trying or die from the shingles, High Blood Pressure, and mental strain they have caused me.

When hired, I and another older woman were hired for part-time positions. All the other hires (all younger women) were for Full-time positions. The District Court found that the Agency had waived "untimeliness" as a defense because there was no indication in the record that the Agency had asserted that defense at the administrative level. (The respondents do not challenge the District Court's Decision in this regard). Throughout the record, in my brief and appendix to the United States Court of Appeals for the Second Circuit and to the Supreme Court, I argued that equitable tolling, waiver and estoppels should be applied to my claim since I was discriminated against when hired in

1995 through my last day worked in 1997. I beg the Supreme Court to Now Apply Them. Throughout my employment with the Social Security Administration's Office of Hearings and Appeals, "Power Hungry" supervisors (because of my age and being too Religious to suit them) Discriminated against me, abused me and caused other employees to abuse me. The record proves over and over again that they lied and made false accusations against me as excuses for their Discrimination of me. (For example, they said I did not complete training. I did; and submitted Proof to the Supreme Court. Also, they said I did not apply for higher grade Positions. I did; and submitted Proof to the Supreme Court).

All of the courts decisions were bias; showing no interest in true justice, but only protecting the respondents. If the Supreme Court is truly just and fair, you will grant me the relief I seek. I believe that the American people would think it a disgrace for the Supreme Court to decide this case Based on technicalities ; and not looking for Justice to be Served; deciding In favor of the Courts, Corrupt Judges, Government Agencies and their Employees who discriminate, abuse employees at will, abuse power, and obstruct justice. My only recourse would be to contact someone like Mr. O'Reilly of Fox News and the ACLU for help in exposing Federal Courts, Agencies and Judges that do not care about Justice, but only protecting their own.

I now place you into "God's" hands; asking for the graces necessary for you to grant me the relief that I seek , out of " True Justice". I beg

"GOD", our Creator, Savior, and infinite Wisdom to forgive all those who have Persecuted me.

Sincerely,

Ann M. DeSalvo

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Cc:

The Solicitor General of the United States
Paula Ryan Conan, Esquire
Assistant United States Attorney

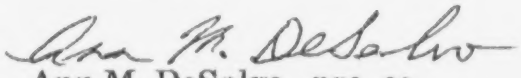
Case No. 08-1354

In The
SUPREME COURT OF THE UNITED STATES

CERTIFICATION

This is to certify that my Petition For Rehearing is presented in Good Faith , on Substantial Grounds, and Not For Delay.

Sincerely,



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Cc:

The Solicitor General of the United States
Paula Ryan Conan, Esquire
Assistant United States Attorney